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MR. WOJCIK, MR. JUDGE, MR. DUNNE, MR. KROGH, MR. MAHONEY, MRS. COLLIER, MS. MESSICK, MR. ARMET, MRS. MAHAR DERGURAHIAN

PUBLIC FORUM: LIST OF SPEAKERS ON FILE IN THE CLERK'S OFFICE

Local Law Intro _____ **#10** _____ **Date** January 6, 2005

Introduced by Council Member _____ **Collier** _____

At the request of Administration _____ **Seconded by** _____

LOCAL LAW ENACTING HOOSICK STREET ZONING

§ 1. Hoosick Street Zoning is enacted to read as follows:

SEE PAGES “1” THROUGH “18”

Approved as to form, September 15, 2004

Corporation Counsel

REFERRED TO PUBLIC HEARING – Tues. January 18, 2005 7:00pm

Ordinance No. 1a Date January 11, 2005
Introduced by Council Member Wojcik
At the request of Administration Seconded by Judge

ORDINANCE APPROVING SETTLEMENT OF CERTIORARI
PROCEEDING INSTITUTED BY VARIOUS PROPERTY OWNERS
LOCATED IN THE CITY OF TROY AND ON THE
ASSESSMENT ROLL OF THE CITY OF TROY

The City of Troy, in City Council, ordains as follows:

Section 1. The Corporation Counsel of the City of Troy is hereby authorized to compromise and settle certiorari proceedings instituted by the following taxpayers as provided in a certain stipulations agreed upon by the office of the Corporation Counsel and the attorney for the Petitioner:

Paul Brown

112.22-4-14

Section 2. The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulations for the settlement of the proceedings and the Orders based on said stipulation and shall authorize the City Treasurer of the City of Troy to prepare a new tax bills in the proper form based on the above referenced assessments and shall further authorize the Department of Finance and the City of Troy to revise the assessment roll for years involved to reflect said changes.

Section 3. Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulations and Orders, said tax shall be adjusted accordingly, and the necessary refunds will be made to the respective property owners.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, December 9, 2004

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9 - unanimous

Noes: 0

Abstain: 0

Sent to the Mayor 1-13-05 for Executive Action - Approved, returned 1-19-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 1b Date January 11, 2005
Introduced by Council Member Wojcik
At the request of Administration Seconded by _____

TABLED to allow Council Members to obtain more information

ORDINANCE APPROVING SETTLEMENT OF CERTIORARI
PROCEEDING INSTITUTED BY VARIOUS PROPERTY OWNERS
LOCATED IN THE CITY OF TROY AND ON THE
ASSESSMENT ROLL OF THE CITY OF TROY

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The Corporation Counsel of the City of Troy is hereby authorized to compromise and settle certiorari proceedings instituted by the following taxpayers as provided in a certain stipulations on file with the office of the Corporation Counsel:

Troy Slag Products Co., Inc.

111.35-1.1/1

Section 2. The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulations for the settlement of the proceedings and the Orders based on said stipulations and shall authorize the City Treasurer of the City of Troy to prepare new tax bills in the proper form based on the above referenced assessments and shall further authorize the Department of Finance and the City of Troy to revise the assessment roll for years involved to reflect said changes.

Section 3. Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulations and Orders, said tax rolls shall be adjusted accordingly and the necessary refunds will be made to the respective property owners.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, December 13, 2004

David B. Mitchell, Corporation Counsel

Ordinance No. 1c **Date** January 11, 2005
Introduced by Council Member Wojcik
At the request of Administration **Seconded by** Dunne

ORDINANCE APPROVING SETTLEMENT OF CERTIORARI
PROCEEDING INSTITUTED BY VARIOUS PROPERTY OWNERS
LOCATED IN THE CITY OF TROY AND ON THE
ASSESSMENT ROLL OF THE CITY OF TROY

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The Corporation Counsel of the City of Troy is hereby authorized to compromise and settle certiorari proceedings instituted by the following taxpayers as provided in certain stipulations agreed upon by the office of the Corporation Counsel and the attorney for the Petitioner:

JAN-JOE, INC.

80.78-1-4 and 80.78-1-5

Section 2. The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulations for the settlement of the proceedings and the Orders based on said stipulations shall authorize the City Treasurer of the City of Troy to prepare new tax bills in the proper form based on the above-referenced assessments and shall further authorize the Department of Finance and the City of Troy to revise the assessment roll for years involved to reflect said changes.

Section 3. Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulations and Orders, said tax shall be adjusted accordingly, and the necessary refunds will be made to the respective property owners.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, December 13, 2004

David B. Mitchell, Corporation Counsel

Ordinance FAILED by the following vote:

Ayes: 2 – Mahoney, Dunne

Noes: 7 – Wojcik, Judge, Krogh, Collier, Messick, Armet, DerGurahian

Abstain: 0

Ordinance No. 1d **Date** January 11, 2005
Introduced by Council Member Wojcik
At the request of Administration **Seconded by** Krogh

ORDINANCE APPROVING SETTLEMENT OF CERTIORARI
 PROCEEDING INSTITUTED BY VARIOUS PROPERTY OWNERS
 LOCATED IN THE CITY OF TROY AND ON THE
 ASSESSMENT ROLL OF THE CITY OF TROY

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The Corporation Counsel of the City of Troy is hereby authorized to compromise and settle certiorari proceedings instituted by the following taxpayers as provided in a certain stipulations agreed upon by the office of the Corporation Counsel and the attorney for the Petitioner:

Woodland Village, LLC

101.58-1-1

Section 2. The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulations for the settlement of the proceedings and the Orders based on said stipulations, shall authorize the City Treasurer of the City of Troy to prepare a new tax bills in the proper form based on the above-referenced assessments, and shall further authorize the Department of Finance and the City of Troy to revise the assessment roll for years involved to reflect said changes.

Section 3. Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulations and Orders, said tax rolls shall be adjusted accordingly, and the necessary refunds will be made to the respective property owners.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, December ____, 2004

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action - Not Endorsed, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

**Ordinance No. 2 Date January 11, 2005
Introduced by Council Member DerGurahian
At the request of Administration Seconded by Collier**

**ORDINANCE AUTHORIZING SETTLEMENT OF CLAIM
 GEICO INSURANCE COMPANY a/s/o JANINE PINTO**

The people OF THE city OF troy, CONVENED IN city council, ORDAINS AS FOLLOW:

Section 1. The city OF troy council AUTHORIZES THE OFFICE OF THE corporation counsel TO SETTLE THIS LITIGATION PURSUANT TO THE TERMS AND IN THE AMOUNT IDENTIFIED IN THE ATTACHED memorandum OF support. The corporation counsel SHALL OBTAIN A stipulation OF discontinuance AND general release IN FULL SATISFACTION OF THE CLAIM PRIOR TO PAYMENT.

Section 2: this ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY.

Approved as to form, December 1, 2004

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 3 Date January 11, 2005
 Introduced by Council Member DerGurahian
 At the request of Administration Seconded by Judge

**ORDINANCE FIXING THE FORM AND AMOUNT OF THE BOND COVERING THE CITY
CLERK AND CITY FISCAL OFFICERS**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. Pursuant to Section C-14 and C-68 of the City Charter the City Clerk, the City Comptroller, the City Treasurer, the City Purchasing Agent, the City Auditor and department heads will all be covered by a blanket bond covering all city employees.

Section 2. The amount of the bond shall be as follows:

\$100,000 per employee

Section 3. A copy of the bond shall be filed in the office of the Rensselaer County Clerk.

Section 4. This ordinance shall take effect immediately.

Approved as to form, December 10, 2004

 David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action, Approved, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 4 Date January 11, 2005
 Introduced by Council Member DerGurahian
 At the request of Administration Seconded by _____

WITHDRAWN

**ORDINANCE AMENDING THE TROY CITY CODE
REGARDING COLLECTION OF SOLID WASTE**

The City of Troy, in City Council convened, ordains as follows:

Section 1. Paragraph E of Section 247-9 of the The Troy City Code is amended to read as follows:

- E. Such containers, when filled with solid wastes to be removed, shall be placed at the curb adjacent to the premises owned or occupied by him/her or, if there be an alley in the rear of such premises, in such alley close to such premises, (not more than 12 hours before collection of solid wastes in the residential areas and not more than 12 hours before collection of solid wastes in the business areas of the City) **no earlier than 3:00 P.M. of the day immediately prior to the day of collection in the area.**

Section 2. This ordinance shall take effect on January First, Two-Thousand Five.

Approved as to form, November 29, 2004

David B. Mitchell

Ordinance WITHDRAWN

Ayes: 0

Noes: 0

Abstain: 0

Ordinance No. 5 **Date** January 11, 2005
Introduced by Council Member DerGurahian
At the request of Administration **Seconded by** Messick

**ORDINANCE AMENDING THE TROY CITY CODE BY DECLARING A
MORATORIUM ON THE ESTABLISHMENT, ENLARGEMENT AND/OR EXTENSION OF
SEXUALLY ORIENTED BUSINESSES**

The City of Troy, in city Council convened, ordains as follows:

Section 1. Section 285-67 of City Code shall be amended by adding a new Paragraph I to read as follows:

- I. Notwithstanding any other provision of this code to the contrary, no new adult establishment shall be allowed, nor shall any existing adult establishment be enlarged or extended, nor shall any non-conforming use be changed to an adult establishment, on or before December Thirty-first, Two-Thousand Five.

Section 2. This ordinance shall take effect immediately.

Approved as to form, December 5, 2004

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action, Approved, returned 1-17-05

Ordinance No. 6 Date January 11, 2005
 Introduced by Council Member DerGurahian
 At the request of Administration Seconded by Krogh

**ORDINANCE AUTHORIZING AND DIRECTING SALE BY
 THE PRIVATE SALE METHOD OF CITY-OWNED REAL PROPERTY**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. Pursuant to Section 83-8 of the Code of Ordinances, the Bureau of surplus Property accepted bids at private sale on the hereinafter described property.

Section 2. The Mayor is hereby authorized and directed to sell and convey the hereinafter described real property to the following named purchaser for the sum below indicated which is hereby determined to be a fair price for the same without the necessity of competitive bidding and upon the terms and conditions set forth below.

Section 3. The Mayor is hereby empowered to execute and deliver to the said bidder or bidders a quit claim deed conveying said premises hereinafter described, but said conveyance is to be made expressly subject to the conditions hereinafter set forth.

Section 4. The purchaser, purchase price and terms and conditions of sale are as follows:

PURCHASER: Mian Associates, PO Box 11106,
 Albany, NY 12211

PURCHASE PRICE: \$2,000

PROPERTY IDENTIFICATION: 13-01160, 90.54-3-10, AP-0655,
 844 River St.

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this Ordinance, the purchaser shall pay the purchase price, plus advertising cost and payment in lieu of City and School taxes prorated for the time prior to the first tax bill to the purchaser. Water and sewer rents shall be charged to the purchaser from the date of the contract of sale.
- B. Upon the 1st of **January 2006, property taxes, and the 1st of July 2005, school taxes** and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.
- C. This conveyance is made subject to the condition that it must be cleaned and maintained so as not to be a nuisance or detriment to its neighborhood within six (6) months after the date of the deed.

If the purchaser, his successor, or assigns shall fail to comply with this condition the City of Troy has a right to re-enter the property without refunding the purchase price.

Section 5. The said real property is described as follows:

SEE SCHEDULE "A" ATTACHED

Section 6. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 7. This Ordinance shall take effect immediately.

Approved as to form, December 10, 2004

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action, Approved, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 7 **Date** January 11, 2005
Introduced by Council Member Collier
At the request of Administration **Seconded by** Armet

**ORDINANCE TERMINATING THE TROY ECONOMIC
DEVELOPMENT ZONE WATER RATE INCENTIVE PROGRAM**

The City of Troy, in City Council convened, ordains as follows:

Section 1. Ordinance #8, enacted September 11, 1998, establishing a "Troy Economic Development Zone Water Rate Incentive Program", is REPEALED.

Section 2. This Ordinance shall take effect immediately, and shall be deemed to have been in full force and effect on and after January 1, 2005.

Approved as to form, December 27, 2004

David B. Mitchell
Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action, Approved, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 8 Date January 11, 2005

Added by Council Member Armet

At the request of Administration Seconded by Krogh

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT
FOR THE USE OF A PORTION OF CITY-OWNED RIGHT-OF-WAY AT THE CORNER OF
WOODLAWN COURT AND PAWLING AVENUE

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The Mayor is hereby authorized and directed to execute a land easement allowing the owner of 532 Pawling Avenue the right to use the property defined in Schedule "A" and Map "A" attached hereto and made a part hereof.

Section 2. This easement is made in consideration of \$10.00, and said easement shall run with the land.

Section 3. This Ordinance shall take effect immediately.

Approved as to form, January 11, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADDED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 1 Date January 11, 2005
 Introduced by Council Member DerGurahian
 At the request of Administration Seconded by Judge

RESOLUTION NAMING BANKS AS
OFFICIAL DEPOSITORIES OF CITY FUNDS

BE IT RESOLVED, that pursuant to the authority contained in Section C-74 of the City Charter, the following banks, including their successors institutions, if applicable, are designated as official depositories of city funds:

M&T BANK

KEY BANK

BANK OF AMERICA (FORMERLY FLEET)

HSBC

PIONEER COMMERCIAL BANK

FIRST NIAGARA (FORMERLY TROY COMMERCIAL BANK)

Approved as to form, December 27, 2004

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

Resolution No. 2 Date January 11, 2005
 Introduced by Council Member DerGurahian
 At the request of Administration Seconded by Collier

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons Commissioners of Deeds for the City of Troy for a two-year term commencing January 6, 2005 through January 5, 2006:

Peter P. Durkee
352 Monroe Street
Troy, New York 12180

Phyllis Raymond
738 Third Avenue

Troy, New York 12180

Approved as to form, December 10, 2004

David B. Mitchell
Corporation Counsel

Motion to amend by Dunne; seconded by Judge (see attached)

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

Resolution No. 3 Date January 11, 2005
Added by Council Member Judge
At the request of Administration Seconded by Dunne

**RESOLUTION SETTING THE DATES OF THE REGULAR MONTHLY MEETINGS OF
THE TROY CITY COUNCIL FOR 2005**

WHEREAS, Section C-27 of the City charter of the City of Troy requires the City Council to hold regular meetings once each month on such dates as the City Council shall designate, each year, by amendment to its rules at its January meeting.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby amends its rules and sets the following dates for the Regular Monthly Meetings of the Troy City Council for the year 2005, all beginning at 7:00pm.

January 6, 2005
 February 3, 2005
 March 3, 2005
 April 7, 2005
 May 5, 2005
 June 2, 2005
 July 7, 2005
 August 4, 2005
 September 1, 2005
 October 6, 2005
 November 3, 2005
 December 1, 2005

Approved as to Form, January 4, 2005

David B. Mitchell
Corporation Counsel

Resolution ADDED to agenda by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

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|--------------------------------|-----------------------|--------------------|-------------------------|
| Resolution No. | <u>4</u> | Date | <u>January 11, 2005</u> |
| Added by Council Member | <u>Armet</u> | Accepted by | <u>Collier</u> |
| At the request of | <u>Administration</u> | Seconded by | <u>Krogh</u> |

RESOLUTION AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT WITH RENSSELAER COUNTY
FOR THE “WEED AND SEED” PROGRAM

WHEREAS, the purpose of the “Weed and Seed” program is to demonstrate an innovative, comprehensive and integrated multi-agency approach to law enforcement and community revitalization for controlling and preventing crime, drug abuse, gang activity, and improving the quality of life in targeted neighborhoods, and

WHEREAS, the total amount of funds available to the City of Troy under this agreement is \$225,000.00 for calendar year 2005, and

WHEREAS, Rensselaer County and the City of Troy desire to enter into this agreement, Schedule “A”, attached hereto and made a part hereof, in an effort to facilitate and bind this relationship, according to the terms therein.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the Mayor of the City of Troy to enter into an agreement with Rensselaer County for the “Weed and Seed” Program.

Approved as to form, January 11, 2005

David B. Mitchell, Corporation Counsel

Resolution ADDED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

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|---|------------------------------|
| Resolution No. <u>5</u> | Date <u>January 11, 2005</u> |
| Added by Council Member <u>Judge</u> | Accepted by Collier <u></u> |
| At the request of <u>Administration</u> | Seconded by <u>Krogh</u> |

RESOLUTION APPOINTING CITY CLERK

WHEREAS, current City Clerk Terry Kippen submitted her letter of resignation dated January 4, 2005, and was received by the City on January 11, 2005, effectively vacating the position of City Clerk for the City of Troy.

WHEREAS, pursuant to City Resolution Charter Section C-42, in the event of a vacancy in the office of City Clerk, caused by death, resignation or any other reason, said vacancy may be filled at any regular meeting or special meeting of the City Council following the date on which the Office becomes vacant and the person selected to fill such vacancy shall serve the unexpired term of the person whose office was vacated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby appoints Flora O'Malley as City Clerk to complete the unexpired term of Terry Kippen. Flora O'Malley is hereby confirmed as City Clerk, and she shall receive the annual salary of \$ 46,629.00.

Approved as to form, January 11, 2005

David B. Mitchell, Corporation Counsel

Resolution ADDED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 1/13/05 for Executive Action – Approved, returned 1-17-05

Meeting adjourned 8:30pm.